

BEFORE THE
DEPARTMENT OF TRANSPORTATION
WASHINGTON, D.C.

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DEPT. OF TRANSPORTATION
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Application of)
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BRITISH AIRWAYS PLC)
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for an Exemption from 49 U.S.C. §41301)
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OST-00- 7968 - 1

APPLICATION OF BRITISH AIRWAYS PLC

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September 21, 2000

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APPLICATION OF BRITISH AIRWAYS PLC

Pursuant to 49 U.S.C. §40109, British Airways Plc ("British Airways") hereby applies for an exemption from 49 U.S.C. § 41301 to the extent necessary to enable it to engage in scheduled foreign air transportation¹ of property and mail between London (Stansted), and Glasgow (Prestwick) on the one hand, and Anchorage, Alaska on the other hand. In order to enable it to inaugurate service on November 1, 2000, British Airways requests that its authority be granted on or before October 16, 2000 and that it be made effective for no less than one year.

1/ Because the service for which the authority is requested here will be operated in conjunction with cargo service between Osaka, Japan and London, to the extent necessary, British Airways also requests authority to commingle cargo traffic between Anchorage and London/Glasgow with traffic not in foreign air transportation. If the Department determines that commingling authority is required, British Airways further requests a waiver of the advance filing requirement specified in § 216.4 of the Department's regulations.

In support of this application, British Airways states as follows:

1. British Airways plans to operate service between Anchorage and London/Glasgow beginning on November 1, 2000. That service will be provided with B-747-400F aircraft operated pursuant to a wet lease agreement with Atlas Air.²

2. Aviation relations between the United States and the United Kingdom are governed by the Air Services Agreement signed at Bermuda on July 23, 1977 ("the Bermuda 2 Agreement"). Pursuant to the Annex 5 to the Agreement U.S. and U.K. carriers may operate scheduled cargo service between any point in the United States and any point in the United Kingdom. In other words, the United States already has agreed to permit a carrier selected by the United Kingdom to offer the service for which authority is requested here.

3. The Anchorage authority requested here will confer significant public benefits by providing shippers with a competitive new service option between Anchorage and the United Kingdom. British Airways anticipates that its proposed service primarily will transport U.S. exports eastbound to the United

^{2/} Atlas concurrently is applying for a statement of authorization pursuant to Part 212 of the Department's regulations for the authority it requires to wet lease its aircraft to British Airways.

Kingdom. The proposed service will therefore provide economic benefits to Alaska and will enhance the U.S. trade balance.

4. British Airways has operated between the United Kingdom and the United States for over forty years and the Department consistently has found it qualified for such service. (See, e.g., Orders 96-9-35, 96-6-14, 96-2-54, 95-6-13, 93-8-44, 93-3-34, and 90-5-14). Moreover, the May 25, 1989 Exchange of Notes between the United States and the United Kingdom provides that the respective aviation authorities shall accept the fitness and citizenship determinations of the other country regarding the carriers of that other country. Under these conditions British Airways meets all applicable fitness criteria.

ACCORDINGLY, British Airways respectfully submits that grant of the authority requested here is in the public interest and requests that the Department grant exemption authority to the extent necessary to enable British Airways to engage in scheduled foreign air transportation of property and mail between London and Glasgow on the one hand and Anchorage on the other hand.

British Airways further requests that the Department grant that authority as soon as possible and no later than October 16, 2000 and that it be granted for a minimum one year period.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Don Hainbach", written in a cursive style.

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September 21, 2000

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CERTIFICATE OF SERVICE

I hereby certify that I have served the foregoing application by first class mail, postage prepaid, upon all persons shown on the attached service list.

A handwritten signature in cursive script, appearing to read "D. Hainbach", written over a horizontal line.

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September 21, 2000

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